United Nations CRC/C/ARE/Q/2

Convention on the Rights of the Child

Distr.: General
10 March 2015

Original: English
Arabic, English, French and Spanish only

Committee on the Rights of the Child
Seventieth session
14 September–2 October 2015
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the second periodic report of the United Arab Emirates

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2015.

The Committee may take up any aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. With reference to previous recommendations of the Committee (CRC/C/15/Add.183, paras. 6, 8 (b), 12 (a) and 14 (a)), please provide updated information on the possibility of withdrawing the State party's reservations to articles 7, 14, 17 and 21 of the Convention on the Rights of the Child. Please also explain the reasons for the delays in adopting the Children's Rights Bill, creating an independent national human rights institution and establishing a data collection system.

2. With reference to paragraph 79 of the State party's report (CRC/C/ARE/2), according to which all national laws prohibit any discrimination between children, and to the recommendations made in the context of the 2013 universal periodic review (A/HRC/23/13, paras. 128.87, 128.95 and 128.101), please indicate the measures taken to implement the previous recommendation of the Committee concerning the elimination of gender-based discrimination (CRC/C/15/Add.183, para. 22 (a)).

3. Please comment on the information received by the Committee that children of detained human rights defenders, as well as children of persons convicted in the context of the "UAE 94", trial, can be subjected to violations of their rights to education, can in some instances have their passports confiscated, can be banned from travelling and can be prevented from keeping in contact with their detained parents.

4. In the light of paragraph 84 of the State party's report and the legal prohibition on sentencing a child to capital punishment, please comment on information received that three out of the four persons executed in 2010 were children at the time they committed the offence for which they were condemned, and provide updated information in that regard.

5. Please indicate the measures taken since the 2008 nationwide registration campaign to address the situation of thousands of stateless children and their families living in the State party, and the results achieved.

6. Please provide information on any legislative reform undertaken since the 2011 Decree issued by the President of the State party allowing all mothers to transmit their nationality to their children without discrimination, as previously recommended by the Committee (CRC/C/15/Add.183, para. 31).

7. Please provide information on the steps taken, if any, to prohibit the imposition of flogging and other forms of cruel, inhuman or degrading treatment or punishment to children as a sentence for crime. Please also comment on the information received by the Committee that in 2007 a teenage girl was sentenced to 60 lashes by a court in Al Ain.

8. Please provide information on the steps taken by the State party to prohibit corporal punishment in all settings, as recommended by the Committee in 2002 (CRC/C/15/Add.183, para. 33). Please explain how maintaining article 53 of the Penal Code, which allows men to discipline their children and wives using violence, can be compatible with the State's obligations under the Convention on the Rights of the Child, in particular articles 6, 19 and 37. In that regard, please explain the reasons why the State party only took note of the recommendation made in the context of the 2013 universal periodic review (A/HRC/23/13, para. 128.102, and A/HRC/23/13/Add.1, para. 5 (c)) that the article be repealed.

9. Please inform the Committee of the measures taken to prevent sexual abuse and exploitation of children, to ensure that perpetrators are brought to justice and to ensure the physical and mental recovery, as well as the social reintegration of child victims. With reference to the concern expressed by the Special Rapporteur on the sale of children, child prostitution and child pornography that a child victim of sexual exploitation might be charged for having committed sexual crimes (A/HRC/16/57/Add.2, para. 51), please clarify whether such treatment of a child victim is still possible in the State party. Please also clarify whether a child victim of sexual abuse and exploitation over the age of 16 years can be flogged in accordance with the Juvenile Delinquents and Vagrants Act.

10. With the minimum age of marriage being 18 years for both girls and boys, please explain why a high percentage of girls marry before reaching the age of 18 and how such marriages are concluded. In particular, please indicate the measures taken to ensure full compliance with the minimum age of marriage and to raise awareness on the negative consequences of child marriages.

11. Please indicate the measures taken to ensure that the legal prohibition of the recruitment of children as domestic workers is enforced effectively. In particular, please provide detailed information on the inspections conducted and their outcome. Please also explain how the State party ensures respect for the rights of women domestic workers, in particular their right to freedom of movement, as well as their right to visit their children living abroad.

12. Please provide information on the implementation of Federal Act No. 29 of 2006, concerning the rights of persons with disabilities, as amended by Federal Act No. 14 of 2009, especially as regards the inclusion of children with disabilities in mainstream schools. Please clarify whether schools can refuse to enrol children with disabilities. In particular,

please provide precise figures on specialized teachers and learning support programmes available in the State party.

13. Please indicate the measures taken to address lead poisoning and air pollution, which continue to negatively affect children's health.

14. Please indicate the measures taken or foreseen by the State party to ensure the right to free education for all children living in its territory, including enabling non-citizen resident children to enrol free of charge in public schools. Please provide information on steps taken to make secondary education compulsory and on what measures are in place to address the situation of children who are still not enrolled in education at any level.

15. With reference to paragraph 207 of the State party's report relating to the adoption of Federal Act No. 51 of 2006 on combating human trafficking offences, please indicate whether the law has been amended to include protection measures for child victims of trafficking. Please specify the measures in place to ensure that no child victim of trafficking is deported and indicate whether the State party has concluded any agreement with the United Nations High Commissioner for Refugees with a view to providing adequate protection to child victims.

16. Please provide comprehensive information on the implementation of Federal Law No. 15 of 2015, which bans the use of children as camel jockeys. In particular, please explain the measures taken to prevent the trafficking of these children, to prosecute those responsible and their accomplices and to rescue children reportedly still being held in slavery-like conditions. Please also indicate the follow-up given to the letter sent in 2010 by the Special Rapporteur on the human rights aspects of trafficking in persons, especially women and children, concerning the 988 child camel jockeys previously trafficked to the country who reportedly did not receive any compensation. Please also indicate whether the law has been amended to impose sanctions on perpetrators that are commensurate with the gravity of their crimes and whether any perpetrator has been held accountable on the basis of article 344 of the Penal Code.

17. Given the attested presence of refugees and asylum-seeking children in the State party, especially children from the Islamic Republic of Iran, Iraq, Somalia and the Sudan, please indicate whether the State party has adopted or intends to adopt a legal framework to deal with refugees and asylum seekers in line with the principles adopted at the Sharjah Conference on Refugee Children in October 2014 (the Sharjah principles). Please also indicate any steps taken towards the formalization of a cooperation agreement with the Office of the United Nations High Commissioner for Refugees.

18. With reference to paragraph 59 of the State party's report, please provide updated information on the Juvenile Justice Bill. In particular, please inform the Committee of any initiatives taken to raise the age of criminal responsibility to conform with internationally acceptable standards. Please also indicate whether there has been any initiative to remove stigmatizing language, such as "delinquents" and "offenders", from juvenile justice legislation. With reference to the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/16/57/Add.2, para. 51), please clarify the situations where children over 16 years of age are referred to the civil courts and the cases where they are referred to sharia courts.

19. Please indicate whether the provisions of the Terrorism Law No. 7, adopted in August 2014, can be applied to children. If so, please provide detailed information on the children arrested, prosecuted, detained and sentenced on the basis of this law.

Part II

In this section, the Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:

(a) New bills and laws, and their respective regulations;

(b) New institutions and their mandates, and institutional reforms;

(c) Recently introduced policies, programmes and action plans, and their scope and financing;

(d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide consolidated budget information for the past three years on budget lines regarding children and social sectors, indicating the percentage of each budget line in terms of the total national budget, gross national product and geographical allocation.

2. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, on:

(a) The total number of allegations of abuse and violence against children, including all forms of corporal punishment, with additional information on the type of assistance given to child victims and the follow-up provided, including prosecution of the perpetrators and the sentences handed down;

(b) The number of investigations of cases of sexual violence and rape, and the outcome of trials, including information on the penalties imposed on perpetrators, and redress and compensation offered to the victims.

3. Please provide data covering the reporting period on:

(a) The estimated number of children used as camel jockeys;

(b) The number of legal proceedings initiated against traffickers and users of camel jockeys, and their outcome, in particular the number of prosecutions and the sentences pronounced;

(c) The number of children rescued over the reporting period, disaggregated by age, sex and country of origin;

(d) The number of children repatriated and the compensation provided to them.

4. Please provide data covering the past three years on:

(a) The estimated number of cases of children trafficked to the State party, disaggregated by age, sex, country of origin and trafficking purpose;

(b) The number of trafficked children who received assistance for their physical and psychological recovery and social reintegration, or compensation;

(c) The number of children deported and the reasons for and conditions of their deportation.

5. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, covering the past three years, on the number of children with disabilities:

(a) Attending regular primary schools;

(b) Attending regular secondary schools;

(c) Attending special schools;

(d) Out of school.

6. Please provide data covering the past three years on:

(a) The number of children prosecuted and sentenced, disaggregated by sex, age, type of sanction, as well as information on the nature of the court which pronounced the sanctions;

(b) The number of persons executed for crimes committed when they were children;

(c) The number of children sentenced to flogging or similar types of punishment, disaggregated by age, sex and type of offence;

(d) The number of children sentenced for having had sexual relations outside of marriage, disaggregated by age and sex, and the type of sentence they received.

7. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected, or affected by new developments.

8. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.